

## ADMINISTRATIVE PANEL DECISION

Estafeta Mexicana, S.A. de C.V. v. Jeremy Zabala  
Case No. D2025-4171

### 1. The Parties

Complainant is Estafeta Mexicana, S.A. de C.V., Mexico, represented by Calderón y de la Sierra y Cía., S.C., Mexico.

Respondent is Jeremy Zabala, Mexico.

### 2. The Domain Name and Registrar

The disputed domain name is <estafeta.com> which is registered with Porkbun LLC (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 11, 2025. On October 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 14, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from those in the Complaint (THE INFORMATION IS PRIVATE). The Center sent an email communication to Complainant on October 14, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. On October 15, 2025, Complainant filed an amendment to the Complaint.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on October 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 10, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on November 11, 2025.

The Center appointed Gerardo Saavedra as the sole panelist in this matter on November 17, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

Complainant is a Mexican corporation engaged in the provision of courier and logistics services.

Complainant has rights over the ESTAFETA mark for which it holds, among others, Mexican registration No. 2042803, registered on September 26, 2019, in class 35. Complainant also has rights over the ESTAFETA figurative mark for which it holds, among others, Mexican registration No. 546615, registered on April 24, 1997, in class 39.

The disputed domain name was registered on December 7, 2024. By the time the Complaint was filed, the disputed domain name did not resolve to an active website.

#### **5. Parties' Contentions**

##### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy and requests that the disputed domain name be transferred to Complainant. Complainant's most relevant assertions may be summarized as follows.

Complainant was founded in 1979 with the vision of transforming the Mexican parcel delivery market by offering the first door-to-door service in the country. Complainant has developed an extensive logistics infrastructure, currently employing more than 12,400 people, with a fleet of approximately 5,000 vehicles, 129 distribution centers, three logistics hubs, and its own cargo airline that operates in both Mexico and the United States of America.

The disputed domain name is confusingly similar and even practically identical to the ESTAFETA mark over which Complainant has exclusive rights of use. The disputed domain name substantially reproduces the ESTAFETA mark, merely without the letter "e". That minimal difference is not distinctive and does not prevent the consumer, at first glance, from associating the disputed domain name with Complainant.

Respondent has no rights or legitimate interest in the disputed domain name because ESTAFETA, which is a substantial part of the disputed domain name and which appears in the content of the website, is not Respondent's property. Respondent has no direct or indirect relationship or association with Complainant.

When searching for the disputed domain name through the Google search engine, the results are an immediate association with Complainant, as if it were the owner of the disputed domain name.

The disputed domain name is not used to offer any product or service since a website display appears as a page not available.

Respondent is taking unfair advantage of the reputation and recognition of Complainant to divert traffic to its website and obtain economic benefits in an illegitimate manner. That is, Respondent is attempting to attract Internet users to the disputed domain name's website for commercial gain, creating confusion with the ESTAFETA mark regarding the origin, sponsorship, affiliation, or promotion of its services.

The disputed domain name has been registered and used in bad faith, as there are circumstances that demonstrate the illegitimate exploitation of the reputation of the ESTAFETA mark.

Although the disputed domain name is not currently listed for sale or public auction, the GoDaddy search platform offers the option of hiring a manager to attempt to acquire it, which shows that Respondent is open to negotiation in order to obtain financial gain from Complainant's mark. That conduct constitutes a clear case of registration and use in bad faith, as it hinders Complainant's commercial activity and diverts legitimate traffic to an unauthorized site, taking advantage of the reputation built by the ESTAFETA mark.

## **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

Paragraph 15(a) of the Rules instructs the Panel to "decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

The lack of response from Respondent does not automatically result in a favorable decision for Complainant (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3). The burden for Complainant, under paragraph 4(a) of the Policy, is to show: (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; (ii) that Respondent has no rights or legitimate interests in respect of the disputed domain name; and (iii) the disputed domain name has been registered and is being used in bad faith.

### **A. Identical or Confusingly Similar**

The Panel finds Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy ([WIPO Overview 3.0](#), section 1.2.1).

The disputed domain name almost identically reproduces the ESTAFETA mark, omitting the second "e" letter. The Panel finds the mark is recognizable within the disputed domain name and that said minor difference in the disputed domain name does not avoid a finding of confusing similarity between them for the purposes of the Policy ([WIPO Overview 3.0](#), sections 1.7, 1.9 and 1.11.1).

The Panel finds the first element of the Policy has been established.

### **B. Rights or Legitimate Interests**

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element ([WIPO Overview 3.0](#), section 2.1).

Paragraph 4(c) of the Policy provides a list of circumstances in which Respondent may demonstrate rights or legitimate interests in the disputed domain name. There is no evidence in the case file of any of those, or of any other circumstances giving rise to a possible right to or legitimate interest in the disputed domain name by Respondent, but rather the opposite may be validly inferred.

The nature of the disputed domain name, confusingly similar to Complainant's mark, represents a serious risk that Internet users will not notice the subtle misspelling as it may be confused with the Complainant's mark. In the Panel's view, the typosquatting nature of the disputed domain name, which almost identically reflects Complainant's mark, cannot confer rights or legitimate interests upon Respondent.<sup>1</sup>

The Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

Based on the available record, the Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith ([WIPO Overview 3.0](#), section 3.2.1).

Having reviewed the case file, the Panel finds that Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. As noted above, the disputed domain name reflects Complainant's prior registered ESTAFETA mark in its entirety, albeit with just a minor typographical variation, a classic case of typosquatting which has been deemed as a strong indicative of bad faith under a number of UDRP cases.<sup>2</sup>

Although the disputed domain name does not resolve to an active website, it seems to the Panel that there is no basis in the case file to conceive a legitimate use of the disputed domain name by Respondent. Taking into consideration that the registration and use of Complainant's ESTAFETA mark preceded the creation of the disputed domain name, Respondent is located in Mexico where Complainant has a strong presence, and the composition of the disputed domain name, the Panel finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.<sup>3</sup>

In the Panel's view, the lack of response is also indicative that Respondent lacks arguments and evidence to support its holding of the disputed domain name.

Based on the available record, the Panel finds the third element of the Policy has been established.

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<sup>1</sup> See *Belmont Village, L.P. v. Name Redacted*, WIPO Case No. [D2022-4895](#): "typosquatting is evidence of a lack of rights or legitimate interests in the Disputed Domain Name." See *Casio Keisanki Kabushiki Kaisha (Casio Computer Co., Ltd.) v. Jongchan Kim*, WIPO Case No. [D2003-0400](#): "There is no evidence that the Complainant authorized the Respondent to register the disputed domain name or to use the CASIO trademark, with or without immaterial additions or variants. These circumstances are sufficient to constitute a prima facie showing by the Complainant of absence of rights or legitimate interest in the disputed domain name on the part of the Respondent."

<sup>2</sup> See *Redbox Automated Retail, LLC d/b/a Redbox v. Milen Radumilo*, WIPO Case No. [D2019-1600](#): "Typosquatting itself is evidence of relevant bad faith registration and use." See also *Go Daddy Software, Inc. v. Daniel Hadani*, WIPO Case No. [D2002-0568](#): "Typosquatting is virtually *per se* registration and use in bad faith."

<sup>3</sup> See [WIPO Overview 3.0](#), section 3.3. See *Ferrari S.p.A. v. Ms. Lee Joohee (or Joo-Hee)*, WIPO Case No. [D2003-0882](#): "Respondent has provided no evidence or suggestion of a possible legitimate use of the Domain Name. Thus, in the words of Telstra, it is not possible to conceive of any plausible actual or contemplated active use of the Domain Name by the Respondent that would not be illegitimate." See also *Flight Refuelling Ltd v. Neog Inc*, WIPO Case No. [D2005-0503](#): "The Panel cannot conceive of a situation in which Respondent could use the name in good faith, and Respondent has not suggested that there are any."

## **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <estafta.com> be transferred to Complainant.

*/Gerardo Saavedra/*

**Gerardo Saavedra**

Sole Panelist

Date: December 1, 2025